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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

In re:) Case No.: 10-40310
)
THOMAS R. DEVORE and) MCN: DRI-5
)
SUSAN E. DEVORE,) **DECLARATION IN SUPPORT OF MOTION**
) **TO CONFIRM 2nd AMENDED CHAPTER**
Debtors) **13 PLAN**
)
)
) DATE: May 3, 2011
) TIME: 9:32 a.m.
) Judge: Hon. Thomas C. Holman
) Courtroom 32 6th Floor
) United States Federal Courthouse
) 501 I Street
Sacramento CA 95814

We, Thomas R. Devore and Susan E. Devore, declare as follows:

1. We are the Debtors in the above-captioned Motion to Confirm 3rd Amended Chapter 13 Plan.
2. We have read the contents of this motion, the 3rd Amended Chapter 13 Plan, petition documents and the information correctly reflects our financial obligations and ability to make payments as provided in our Motion Confirm 3rd Amended Chapter 13 Plan.

- 1 3. We are current in our payments to the trustee. We are
2 current in our payments to our mortgage company Bank
3 of America.
- 4 4. We are able to pay as required under this 3rd Amended
5 Chapter 13 Plan providing for priority, secured and
6 unsecured creditors claims after a review of our
7 current income and expenses.
- 8 5. Our ability to pay according to this 3rd Amended
9 Chapter 13 plan is supported by our current income.
10 We are both currently employed full time and do not
11 anticipate a change in our employment status.
- 12 6. Our bankruptcy was filed in good faith. We needed to
13 file bankruptcy because we were overwhelmed with our
14 tax debt and our unsecured creditors. This bankruptcy
15 will allow us to pay off the debt we owe to the IRS
16 and relieve us from the burden of our unsecured
17 creditors. In addition it will allow us to stay
18 current on our secured debts so we can keep our home
19 and car.
- 20 7. The value to be paid through our plan is more then
21 would be obtained by creditors through liquidation.
22 Our plan provides for us to pay 20% to our unsecured
23 creditors, through a Chapter 7 filing our creditors
24 would receive nothing.
- 25

1 8. We have paid all fees and charges as required by the
2 Court.

3 9. The unsecured creditors are not prejudiced by the 3rd
4 Amended Chapter 13 Plan, as they are receiving
5 notice, opportunity to be heard and opportunity to
6 file a timely claim.

7 10. All secured creditors are provided for under the
8 proposed 3rd Amended Chapter 13 Plan pursuant to
9 1325 (a) (5) (B) .
10

11 11. We have filed all required tax returns as required by
12 applicable law, and the priority debts, are provided
13 for in the 3rd Amended Chapter 13 Plan.

14 12. For the reasons set forth in this declaration, and
15 based on the evidence in support of the motion, we
16 respectfully request that the Court order the Motion
17 to Confirm 3rd Amended Chapter 13 plan.

18 I DECLARE under penalty of perjury under the laws of the
19 State of California that the foregoing is true and correct.

20 Dated: March 8, 2011 at Sacramento, California.
21

22 BY: /s/ Thomas R. Devore
23 Thomas R Devore, Debtor

24 By: /s/ Susan E. Devore
25 Susan E Devore, Debtor